

REMARKS

Applicant respectfully requests reconsideration of this application based on the foregoing amendments and the following remarks.

Claim Status

Claims 1, 3-10, 12-20, 22-24, 26-35, 38, 61, and 84 are pending in this application, of which claims 1, 12, 13, and 14 are independent in form. Claims 1, 3-10, 12-20, 22-35, 38, 61, and 84 are rejected. Claim 25 has been canceled without prejudice. Claims 1, 4, 9, 12, 13, 14, 17, 22 and 61 are herein amended. No new matter has been added by these amendments.

Claim Rejections – 35 U.S.C. § 102

Claim 1, 3, 5, 6, and 10-14 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,819,020 to Beeler, Jr. (“Beeler”). Applicant respectfully submits that independent claims 1, 12, 13, 14 and dependent claims depend therefrom as amended are patentably distinct from the cited references.

All of the independent claims have been amended to require “a select step of making the server automatically select...at least one data server located in an area which is **different from an area of user's address....**” Independent claim 1 recites, *inter alia*:

Claim 1. A data management method using a network system which includes a server, a client terminal and a plurality of data servers, comprising:

a reception step ...;
a select step of making the server automatically select from the plurality of data servers at least one data server located in *an area which is different from an area of user's address* registered by the user of the client terminal; and

a storage step (emphasis added)

Applicants respectfully submit that Beeler does not disclose, teach or suggest the elements, as recited in independent claims 1, 12, 13, 14 as amended.

Beeler fails to teach or suggest a select step to select least one data server located in an area which is **different from an area of user's address**. (Beeler, col. 2, lines 48-58 and col. 6, lines 44-51). Further, Beeler fails to disclose or suggest the **server automatically select** from the plurality of data servers at least one data server. In Beeler, the user selects a target server where replicated information will be stored (Beeler, col. 10, lines 20-31).

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection applied to independent claims 1, 12, 13, and 14 under 35 U.S.C. § 102(b) as being anticipated by Beeler.

Claim Rejections – 35 U.S.C. § 103

Claims 4, 7, and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beeler as applied to claims 1 and 3, and further in view of U.S. Patent No. 6,347,384 to Satomi et al. (“Satomi”). Claim 8 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beeler as applied to claims 1, 3, and 5, and further in view of Satomi and U.S. Patent No. 6,289,382 to Bowman-Amuah et al. (“Bowman-Amuah”). Claims 15-19, 23-28, 33-35, 38, 61, and 84 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beeler and U.S. Patent No. 6,069,941 to Byrd et al. (“Byrd”). Claims 20 and 22 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beeler and Byrd as applied to claim 15 above, and further in view of Satomi. Claims 29, 30, 31, and 32 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Beeler and Byrd as applied to

claims 15 and 26 above, and further in view of Bowman-Amuah. Applicant respectfully traverses each of these rejections for at least the above-state reasons regarding the deficiencies of Beeler.

Dependent Claims

Applicant does not believe it necessary at this time to further address the rejections of the dependent claims as Applicant believes that the foregoing places the independent claims in condition for allowance. Applicant, however, reserves the right to address those rejections in the future should such a response be deemed necessary and appropriate.

CONCLUSION

It is now believed that all pending claims are in condition for allowance. In view of these remarks, an early and favorable reconsideration is respectfully requested.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 1232-4812.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 1232-4812.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: January 19, 2006

By:

Ping Gu
Ping Gu
Registration No. L0040

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile